

**Laura Salerno Owens, OSB #076230**  
LauraSalerno@MarkowitzHerbold.com  
**David B. Markowitz, OSB #742046**  
DavidMarkowitz@MarkowitzHerbold.com  
**Harry B. Wilson, OSB #077214**  
HarryWilson@MarkowitzHerbold.com  
**Kathryn P. Roberts, OSB #064854**  
KathrynRoberts@MarkowitzHerbold.com  
MARKOWITZ HERBOLD PC  
1455 SW Broadway, Suite 1900  
Portland, OR 97201  
Telephone: (503) 295-3085 | Fax: (503) 323-9105

**Laura L. Ho** (admitted *pro hac vice*)  
lho@gbdhlegal.com  
**Barry Goldstein, Of Counsel** (admitted *pro hac vice*)  
bgoldstein@gbdhlegal.com  
**James Kan** (admitted *pro hac vice*)  
jkan@gbdhlegal.com  
**Byron Goldstein** (admitted *pro hac vice*)  
brgoldstein@gbdhlegal.com  
**Katharine L. Fisher** (admitted *pro hac vice*)  
kfisher@gbdhlegal.com  
**Mengfei Sun** (admitted *pro hac vice*)  
msun@gbdhlegal.com  
GOLDSTEIN, BORGES, DARDARIAN & HO  
155 Grand Avenue, Suite 900  
Oakland, CA 94612  
Telephone: (510) 763-9800 | Fax: (510) 835-1417

Attorneys for Plaintiffs, Opt-In Plaintiffs, and Putative Class  
[Additional Counsel of Record listed on the next page]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

KELLY CAHILL, et al., individually and  
on behalf of others similarly situated,  
Plaintiffs,

vs.

NIKE, INC., an Oregon Corporation,  
Defendant.

Case No. 3:18-cv-01477-JR

**PLAINTIFFS' UNOPPOSED MOTION  
TO UNSEAL ECF NO. 269 AND FILE  
REDACTED COPY OF ECF NO. 268**

**Craig Ackerman** (admitted *pro hac vice*)

cja@ackermanntilajef.com

**Brian Denlinger** (admitted *pro hac vice*)

bd@ackermanntilajef.com

ACKERMANN & TILAJEF PC

1180 S Beverly Drive, Suite 610

Los Angeles, CA 90035

Tel: (310) 277-0614

Fax: (310) 277-0635

**India Lin Bodien** (admitted *pro hac vice*)

india@indialinbodienlaw.com

INDIA LIN BODIEN LAW

2522 North Proctor Street, #387

Tacoma, WA 98406-5338

Tel: (253) 503-1672

Fax: (253) 276-0081

**L.R. 7-1(a) Certification**

In compliance with Local Rule 7-1(a), Plaintiffs certify that they have conferred on this Motion with Defendant Nike, Inc.'s counsel regarding the substance of this Motion. Nike does not oppose this Motion.

**MOTION TO UNSEAL**

Plaintiffs hereby submit this Motion to Unseal. On July 8, 2022, Plaintiffs filed their Sur-Sur Reply in support of Plaintiffs' Motion for Class Certification ("Sur-Sur Reply"), ECF No. 268; and supporting Supplemental Kan declaration ("Supp. Kan Decl."), ECF No. 269, under seal pursuant to the Parties' Protective Order because documents and information included in these documents were stamped Confidential by Nike under the Protective Order.

Plaintiffs met and conferred with Nike on unsealing these documents and Nike stated it has no objection to unsealing the Supp. Kan Decl. Sun Decl. ¶ 2, filed herewith. As such, Plaintiffs respectfully request that the Court unseal the Supp. Kan Decl., ECF No. 269.

Nike opposes unsealing the Sur-Sur Reply, ECF No. 268, with respect to one proposed redaction. Sun Decl. ¶ 3. Plaintiffs disagree with Nike's proposed redactions, which involve aggregated statistical analysis results. The issue regarding aggregated statistical analysis results is already before the Court in Nike's Motion to Seal, ECF No. 171, and Plaintiffs' Opposition to Nike's Motion to Seal, ECF No. 175.

In the interest of judicial efficiency and economy, Plaintiffs have agreed that the Sur-Sur-Reply may remain sealed as to Nike's proposed redaction and that Nike can have until 7 days after the Court rules on its Motion to Seal before submitting a motion to seal for its proposed redaction to the Sur-Sur-Reply. Sun Decl. ¶ 3. In the interim, to allow the public to have access to the parts of the Sur-Sur-Reply that Nike does not seek to seal, Plaintiffs file a redacted copy of

the Sur-Sur-Reply with Nike's proposed redaction (contested by Plaintiffs), attached as Exhibit 1 to the Sun Decl.

Dated: July 27, 2022

Respectfully submitted,

GOLDSTEIN, BORGAN, DARDARIAN & HO

/s/ Mengfei Sun

Laura L. Ho (admitted *pro hac vice*)  
Barry Goldstein, Of Counsel (admitted *pro hac vice*)  
James Kan (admitted *pro hac vice*)  
Byron Goldstein (admitted *pro hac vice*)  
Katharine L. Fisher (admitted *pro hac vice*)  
Mengfei Sun (admitted *pro hac vice*)

MARKOWITZ HERBOLD PC  
Laura Salerno Owens, OSB #076230  
David B. Markowitz, OSB #742046  
Harry B. Wilson, OSB #077214  
Kathryn P. Roberts, OSB #064854

ACKERMANN & TILAJEF PC  
Craig Ackerman (admitted *pro hac vice*)  
cja@ackermanntilajef.com  
Brian Denlinger (admitted *pro hac vice*)  
bd@ackermanntilajef.com  
1180 S Beverly Drive, Suite 610  
Los Angeles, CA 90035  
Tel: (310) 277-0614  
Fax: (310) 277-0635

INDIA LIN BODIEN LAW  
India Lin Bodien (admitted *pro hac vice*)  
india@indialinbodienlaw.com  
2522 North Proctor Street, #387  
Tacoma, WA 98406-5338  
Tel: (253) 503-1672  
Fax: (253) 276-0081

Attorneys for Plaintiffs, Opt-In Plaintiffs, and Putative Class